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REMARKS

The present Response and Amendment is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Status of Claims

Claims 24-26, 28, 31-39, and 42-48 are pending in the application. Claims 24, 28, 34, 37, 39, and 43-47 have been amended.

These amendments add no new matter.

Telephone Interviews

Applicants thank Examiner Daniels for granting and attending the telephone interviews with Caleb Pollack (the undersigned) and Yamima Eadan, Reg. 64,764, on April 13, 2010 and April 14, 2010. During the April 13, 2010 interview, Applicants' representatives proposed amendments to claim 24 (as a representative claim) and it was agreed that these amendments would overcome the rejections under 35 U.S.C. § 103 in view of Chen and Foran.

During the April 14, 2010 interview, Applicants' representatives proposed further amendments to claim 24 (as a representative claim) and it was agreed that these amendments would overcome the rejections under 35 U.S.C. § 103 in view of Chen and Foran.

The proposed amendments above reflect the proposed amendments presented to the Examiner during the April 14, 2010 interview.

CLAIM REJECTIONS

Double Patenting Rejection

In the Office Action, the Examiner provisionally rejected claims 24, 26, 28, 34, 35, 38, 39, 43, and 48, under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5, 7, 8, 10-12, and 14, of co-pending U.S. Application Publication No. 2006/0164511 (U.S. Application Serial No. 11/358,401).

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This is a provisional rejection in view of an application which is still pending, and the claims in the co-pending Application as well as the claims in the present Application may change. Applicants would prefer to file a terminal disclaimer, if ultimately necessary, when the claims in the present application receive an indication that they are otherwise allowable.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 24-26, 28, 33-37, 39, 43, and 45-48, under 35 U.S.C. § 103(a), as being unpatentable over Chen et al. (U.S. Patent Application Publication No. 2005/0075537, "Chen") in view of Foran et al. (U.S. Patent No. 7,027,633, "Foran"), claims 31 and 42 under 35 U.S.C. § 103(a), as being unpatentable over Chen in view of Foran and further in view of Balabanovic et al. (U.S. Patent No. 6,976,229, "Balabanovic"), claim 32 under 35 U.S.C. § 103(a), as being unpatentable over Chen in view of Foran and further in view of Shibanuma (U.S. Patent No. 5,642,157, "Shibanuma"), claim 38 under 35 U.S.C. § 103(a), as being unpatentable over Chen in view of Foran and further in view of Iddan et al. (U.S. Patent No. 6,764,440, "Iddan"), and claim 44 under 35 U.S.C. § 103(a), as being unpatentable over Chen in view of Foran and further in view of Billie (U.S. Patent Application Publication No. 2005/0075537, "Billie"). Applicants respectfully traverse these rejections in view of the remarks that follow.

During the April 14, 2010 interview, claim amendments were proposed and the Examiner agreed that the proposed amendments overcame these U.S.C. § 103 rejections. The agreed-upon amendments are included in the amendments above.

Independent claim 24, as amended, includes, *inter alia*:

assigning two or more scores to each of a plurality of frames based on a degree of variation between a predetermined criterion of each frame and a predetermined criterion of two or more reference frames; and displaying at least a subset of the plurality of frames ... positioned spatially in order of ascending or descending degree of variation based on the scores

Each of independent claims 34 and 39 includes different limitations, but the arguments submitted in this paper for claim 24 are also relevant to claims 34 and 39. Applicants respectfully state that neither Chen nor Foran, alone or in combination, teaches the

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features in the currently amended claims. Amended independent claims 24, 34 and 39 are therefore allowable over Chen and Foran.

Each of claims 25, 26, 28, 31-33, 35-38, and 42-48 depends, directly or indirectly, from one of claims 24, 34, and 39, and therefore includes all the limitations of one of these claims. None of Balabanovic, Shibnuma, Iddan, and Billie, alone or in combination, cures the deficiencies of Chen and Foran and therefore, claims 25, 26, 28, 31-33, 35-38, and 42-48 are likewise allowable.

Applicants respectfully request that the Examiner withdraw the rejection under 35 U.S.C. § 103 of claims 24-26, 28, 31-39, and 42-48.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants assert that the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, or if there are any further issues yet to be resolved to advance the prosecution of this application to issue the Examiner is requested to contact the undersigned at the telephone number below.

No fees are believed to be due in connection with this paper. However, if any such fees are due, please charge any fees associated with this paper to deposit account No. 50-3355.


~~Respectfully submitted,~~

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